

Article - Public Utilities

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§8–201.

(a) (1) In this section the following words have the meanings indicated.

(2) “Economic unit” means all adult individuals contributing to and sharing in the income and expenses of a household.

(3) “Household” means an individual or a group of individuals who are living together at the same address as one economic unit.

(4) “Lifeline” means a nontransferable retail service offering provided directly to qualifying low-income consumers for which qualifying low-income consumers pay reduced charges as a result of federal or State lifeline support.

(5) “Qualifying low-income consumer” means an individual who:

(i) meets the qualifications for lifeline under 47 C.F.R. §§ 54.400, 54.409, and 54.410; and

(ii) is certified to receive lifeline.

(b) Except as provided in subsection (i) of this section, this section applies only to a local telephone company and the provision of local telephone service.

(c) At the direction of the Commission, a local telephone company with more than 10,000 subscribers shall offer lifeline to qualifying low-income consumers subject to the following conditions:

(1) no other local voice telephone service may be provided to the household of the qualifying low-income consumer applying for lifeline; and

(2) an inside wiring maintenance plan is not provided to the qualifying low-income consumer.

(d) (1) A qualifying low-income consumer may select a lifeline under either paragraph (2) or (3) of this subsection.

(2) A qualifying low-income consumer who selects lifeline under this paragraph:

(i) shall receive:

1. an individual residential local exchange access line;
2. the first 30 residential local untimed messages each billing month at no additional charge;

(ii) shall be charged:

1. 50% of the lowest applicable and approved federal and State tariff rates for the access line and included residential local untimed messages, minus any applicable waiver of federal tariff provisions for qualifying low-income consumers, plus all applicable federal, State, and local taxes;
2. the full applicable tariff rates for all other residential local untimed messages; and
3. the full applicable tariff rates for all other services;

(iii) may not be provided any premium services, including foreign zone or foreign exchange service.

(3) A qualifying low-income consumer who selects lifeline under this paragraph:

(i) shall receive an individual residential local exchange access line with unlimited residential local untimed messages for a monthly charge of \$10; and

(ii) may purchase up to two value-added services at the full applicable tariff rates.

(e) The telephone company shall charge to the qualifying low-income consumer all applicable federal, State, and local taxes and fees.

(f) (1) A telephone company may not require payment of an order processing charge or line change charge to change a qualifying low-income consumer to lifeline from any other class of residential telephone service.

(2) An individual who is no longer a qualifying low-income consumer may not be charged a fee to change from lifeline to any other class of residential telephone service.

(g) (1) A telephone company may not request a deposit to secure payment in connection with the initial installation or connection of lifeline.

(2) A qualifying low-income consumer applying for service may be denied service if the qualifying low-income consumer:

(i) has an outstanding unpaid net telephone debt of \$100 or more for prior telephone service; and

(ii) has not established a reasonable payment plan to satisfy the debt.

(3) A qualifying low-income consumer may not be denied service if the qualifying low-income consumer has an outstanding unpaid net telephone debt of less than \$100 for prior telephone service.

(h) (1) To the extent allowed by federal and State law, the Department of Human Services shall provide to local telephone companies that offer lifeline monthly electronic access to a file containing a list of qualifying low-income consumers until the Federal Communications Commission or its designee determines eligibility.

(2) To obtain access to the file maintained by the Department of Human Services, a local telephone company must enter into a memorandum of understanding with the Department of Human Services that governs access to use, confidentiality, and retention of the file.

(3) The grant of access to the file satisfies the certification requirement of subsection (a)(5) of this section.

(4) Once the Federal Communications Commission or its designee determines eligibility, that determination will satisfy the certification requirement under subsection (a)(5) of this section.

(i) The Department of Human Services may certify consumers as qualifying low-income consumers if they use services other than local telephone service.

(j) Nothing in this section may be construed to establish jurisdiction by the Commission over wireless services, broadband services, voice over Internet protocol services, or other services that are not provided through telephone lines.

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